

THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

IN RE:

ROGERS, THOMAS RAY

DEBTOR

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CASE NO. 02-52237-R
CHAPTER 7

TRUSTEE'S
FINAL REPORT AND PROPOSED DISTRIBUTION

LINDA S. PAYNE, trustee of the estate of the above-named Debtor(s), certifies under penalty of perjury, to the Court and the United States Trustee, that the trustee has faithfully and properly fulfilled the duties of her office and that the trustee has examined all proofs of claims as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of court. The Trustee applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document once filed, constitutes my valid signature for the purposes of 11 U.S.C. § 704(9) and Fed.R.Bankr.Pro.9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation and Report of Proposed Distribution be approved.

Date: December 6, 2004

/s/ Linda Payne
Linda Payne, Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:

ROGERS, THOMAS RAY

DEBTOR

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**CASE NO. 02-52237-R
CHAPTER 7**

**TRUSTEE'S FINAL REPORT AND APPLICATION TO CLOSE CASE AND
DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced moneys from personal funds for expenses, and the Trustee has not been reimbursed.
2. The Trustee submits Form I as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554 (c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The trustee has examined each and every claim filed and noted her approval of claims as filed, or she has filed objections to allowance or requests for reclassification.
8. The Trustee further requests that after final distribution of all moneys in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U. S. Trustee the trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: December 6, 2004

/s/ Linda Payne
Linda Payne, Trustee

SCHEDULE A-1

FINAL ACCOUNT AS OF: 12/6/04

A: Receipts	\$15,426.93
B. Disbursements	
1. Secured Creditors-----	
2. Administrative-----	1,401.24
3. Priority-----	
4. Other- (Exempt Funds to Debtor)-----	3,500.00
Total disbursements-----	4,901.24
C. Current Balance	\$10,525.69

Form 1

Page: 1

Individual Estate Property Record and Report
Asset Cases

Case Number: 02-52237 BTR
Case Name: ROGERS, THOMAS RAY
Period Ending: 12/06/04

Trustee: (631540) LINDA S. PAYNE
Filed (f) or Converted (c): 09/17/02 (f)
\$341(a) Meeting Date: 10/11/02
Claims Bar Date: 05/12/03

Ref. #	Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA-\$554(e) abandon. DA-\$554(c) abandon.	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	7030 W 7th, Texarkana - homestead (See Footnote)	72,000.00	0.00	DA	0.00	FA
2	Cash and checking	1.00	1.00	DA	0.00	FA
3	Household Goods	3,050.00	0.00	DA	0.00	FA
4	Clothing	400.00	0.00	DA	0.00	FA
5	Retirement variable annuity	50,000.00	0.00	DA	0.00	FA
6	IRA	48,000.00	0.00	DA	0.00	FA
7	Garnished funds in Century Bank Objected to exemptions. Hired attorney to pursue garnishment	15,520.00	11,420.00		15,411.56	FA
Int	INTEREST (u)	Unknown	N/A		15.37	FA
8	Assets	Totals (Excluding unknown values)	\$188,971.00	\$11,421.00	\$15,426.93	\$0.00

Form 1

Page: 2

Individual Estate Property Record and Report

Asset Cases

Case Number: 02-52237 BTR
Case Name: ROGERS, THOMAS RAY
Period Ending: 12/06/04

Trustee: (631540) LINDA S. PAYNE
Filed (f) or Converted (c): 09/17/02 (f)
§341(a) Meeting Date: 10/11/02
Claims Bar Date: 05/12/03

1	2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ret #					

RE PROP# 1 Owns free and clear

Major Activities Affecting Case Closing:

Need to file application to pay attorney
No objections to claims

Initial Projected Date Of Final Report (TFR): December 1, 2004

Current Projected Date Of Final Report (TFR): December 6, 2004 (Actual)

Form 2

Page: 1

Cash Receipts And Disbursements Record

Case Number: 02-52237 BTR
Case Name: ROGERS, THOMAS RAY
Taxpayer ID #: 13-7403046
Period Ending: 12/06/04

Trustee: LINDA S. PAYNE (631540)
Bank Name: JPMORGAN CHASE BANK
Account: ***-****16-65 - Money Market Account
Blanket Bond: \$300,000.00 (per case limit)
Separate Bond: N/A

1 Trans. Date	2 {Ref #}/ Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
03/17/04	{7}	Century Bank	T/o of garnished funds	1141-000	15,411.56		15,411.56
03/31/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	1270-000	0.88		15,412.44
04/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	1270-000	1.90		15,414.34
05/17/04	1001	Thomas Ray Rogers	Court Ordered Turn Over of Exempt Funds	8100-002		3,500.00	11,914.34
05/28/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	1270-000	1.88		11,916.22
06/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	1270-000	1.47		11,917.69
07/22/04	1002	BILL PAYNE	Court approved attorney fees	3210-000		1,400.00	10,517.69
07/22/04	1003	BILL PAYNE	Court approved attorney expenses	3220-000		1.24	10,516.45
07/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	1270-000	1.48		10,517.93
08/31/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	1.64		10,519.57
09/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	1.73		10,521.30
10/29/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	1270-000	1.87		10,523.17
11/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	1270-000	2.16		10,525.33
12/06/04	Int	JPMORGAN CHASE BANK	Current Interest Rate is 0.2500%	1270-000	0.36		10,525.69
12/06/04		To Account #*****1666	Final Report	9999-000		10,525.69	0.00

ACCOUNT TOTALS

Less: Bank Transfers

Subtotal

Less: Payments to Debtors

NET Receipts / Disbursements

15,426.93	15,426.93	\$0.00
0.00	10,525.69	
15,426.93	4,901.24	
	3,500.00	
\$15,426.93	\$1,401.24	

Form 2

Page: 2

Cash Receipts And Disbursements Record

Case Number: 02-52237 BTR
Case Name: ROGERS, THOMAS RAY
Taxpayer ID #: 13-7403046
Period Ending: 12/06/04

Trustee: LINDA S. PAYNE (631540)
Bank Name: JPMORGAN CHASE BANK
Account: ***_****16-66 - Checking Account
Blanket Bond: \$300,000.00 (per case limit)
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
12/06/04		From Account #*****1665	Final Report	9999-0001	10,525.69		10,525.69

ACCOUNT TOTALS

Less: Bank Transfers

10,525.69 0.00

\$10,525.69

Subtotal

Less: Payments to Debtors

0.00 0.00

0.00

NET Receipts / Disbursements

\$0.00

\$0.00

TOTAL - ALL ACCOUNTS

MMA # ***_****16-65

15,426.93 1,401.24

0.00

Checking # ***_****16-66

0.00 0.00

10,525.69

\$15,426.93	\$1,401.24	\$10,525.69
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SCHEDULE B
APPLICATION FOR COMPENSATION

TRUSTEE COMPENSATION: *(Total receipts were \$15,426.93. Of that amount \$ 3,500.00 was returned to the debtor as exempt fund - therefore the total amount of receipts for Trustee fees would be \$11,926.93)*

Total Receipts	\$11,926.93	25% of First \$5,000.00	\$ 1,250.00
Balance	\$ 6,926.93	10% of Next \$45,000.00	\$ 692.69
Balance	\$	of Next \$950,000.00	\$
Balance	\$ _____	3% of Remaining Balance	\$
TOTAL COMMISSIONS			\$ 1,942.69

UNREIMBURSED EXPENSES: (See attached breakdown)

Recording Fees-----	
Premium on bond-----	
Travel-----	
Clerical & Stenographic-----	85.00
Copies-----	14.75
Postage-----	13.32
Court Certification-----	
Federal Express-----	

TOTAL UNREIMBURSED EXPENSES--\$113.07

RECORDS:

Trustee did not take possession of business or personal records of the debtor.

____X____

Trustee did take possession of business or personal records of the debtor.

Notice given to debtor on _____
to pick up business or personal records in
hands of trustee. If not picked up within
30 days such records or work files may be
destroyed.

Exhibit "A"**Period: 01/01/00 - 12/06/04****Trustee: LINDA S. PAYNE (631540)****Case Number:** 02-52237**Case Name:** ROGERS, THOMAS RAY**Case Type:** Assets**Judge:** Brenda T. Rhoades**Petition Date:** 09/17/02**341a Meeting:** 10/11/02 11:00**Category: CLERICAL**

<u>Date</u>	<u>Description</u>	<u>Hours/Unit</u>	<u>Rate</u>	<u>Total</u>
11/01/02	Prepare Trustee's Objection to Exemptions Prepare Application to Employ Attorney	1.00	\$20.000	\$20.00
03/17/04	Motion and Notice for Court to Direct Trustee to Distribute Exempt Funds to Debtor	1.75	\$20.000	\$35.00
06/24/04	Prepare Application to Pay Attorney for Trustee	1.50	\$20.000	\$30.00
Total for category CLERICAL:		4.25		\$85.00

Category: COPIES

<u>Date</u>	<u>Description</u>	<u>Hours/Unit</u>	<u>Rate</u>	<u>Total</u>
11/01/02	Trustee's Objection to Exemptions Trustee's Application to Employ Attorney	14.00	\$0.250	\$3.50
03/17/04	Trustee's Notice to Direct Trustee to Turn Over Exempt Funds to Debtor	20.00	\$0.250	\$5.00
06/24/04	Application for Expenses and Fees for Attorney	25.00	\$0.250	\$6.25
Total for category COPIES:		59.00		\$14.75

Category: POSTAGE

<u>Date</u>	<u>Description</u>	<u>Hours/Unit</u>	<u>Rate</u>	<u>Total</u>
11/01/02	Trustee's Objection to Exemptions Trustee's Application to Employ Attorney	4.00	\$0.370	\$1.48
03/17/04	Notice for Court to Direct Trustee to Turn Over Exempt Funds to Debtor	16.00	\$0.370	\$5.92
06/24/04	Application for Fees and Expenses of Attorney	16.00	\$0.370	\$5.92
Total for category POSTAGE:		36.00		\$13.32

Total for case 02-52237: \$113.07**Grand Total: \$113.07**

**SCHEDULE C
EXPENSES OF ADMINISTRATION**

	AMOUNT CLAIMED	AMOUNT PAID	AMOUNT DUE
1. 11 U.S.C. Sec 507(a)(1) <u>Court Cost and Fees</u>			
A. Notice & Claim Fees \$			
B. Adv. filing fees			
C. Quarterly Chapt 11			
2. 11 U.S.C. Sec 503(b)(1)(a) <u>Preservation of estate</u>			
A. Transportation			
B. Storage			
C. Wages			
D. Estates share FICA			
E. Insurance			
F. Other (itemize)			
G. Chapt 11 Trade			
H. Closing Cost on Real Estate			
3. 11 U.S.C. Sec.503(b)(2) <u>Post-Petition Taxes</u> <u>and related penalties</u>			
4. 11 U.S.C. Sec.503(b)(2) <u>Compensation and</u> <u>Reimbursement</u>			
A. Trustee Fees	1,942.69	0	1,942.69
B. Trustee Expenses	113.07	0	113.07
C. Attorney to Trustee (#21 on docket)	1,400.00	1,400.00	0
D. Expenses for Attorney To Trustee	1.24	1.24	0
E. Debtor's Attorney			
F. Auctioneer Fees			
G. Auctioneer Expenses			
5. Other (Itemize)			
TOTAL-----	3,457.00	1,401.24	2,055.76

SCHEDULE D

SECURED CLAIMS

Claim #	Claimant	Amount Claimed	Amount Not Determined	Amount Allowed	Previously Paid	Amount Due
	Thomas Ray Rogers (Exempt funds returned to debtor)	3,500.00	0	3,500.00	3,500.00	0

Total approved Secured Claims \$ 3,500.00

SCHEDULE E

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE FOLLOWING ORDER OF PRIORITY

	(1) Claim No.	(2) Amt. Claimed	(3) Amt. Allowed	(4) Amt. Paid	(5) Amt. Due
1. For Credit Extended §364(e)(1)					
2. Claims from failure of adequate protection §307 (a)(b)					
3. "Gap Claims" §507 (a)(2)					
4. Wages, etc. §507 (a)(3)					
5. Contributions to benefit plans §507 (a)(4)					
6. Engaged in raising of grain or fisherman §507 (a)(5)					
7. Consumer deposits §507 (a)(6)					
8. Alimony or child support §507 (a)(7)					
9. Taxes §507 (a)(8)					

TOTAL ALLOWED PRIORITY CLAIMS:

TIMELY FILED ALLOWED UNSECURED CLAIMS TOTAL \$ 40,905.61

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA, DIVISION**

IN RE:

ROGERS, THOMAS RAY

DEBTOR

UNITED STATES BANKRUPTCY COURT

**CASE # 02-52237-R
CHAPTER 7**

TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS

The undersigned Trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the Trustee's Final Report, all applications for compensation and all other matters which must be determined by the Court before final distribution can be made.
2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection hereto is made, filed and served on the Trustee and on the United States Trustee.

1. BALANCE ON HAND	\$10,525.69
2. ADMINISTRATIVE EXPENSES TO BE PAID	\$ 2,055.76
3. SECURED CLAIMS TO BE PAID	\$0
4. PRIORITY CLAIMS TO BE PAID	\$0
5. UNSECURED CLAIMS TO BE PAID	\$ 8,469.93
6. OTHER DISTRIBUTIONS TO BE PAID	\$
7. TOTAL DISTRIBUTIONS TO BE MADE	\$10,525.69
8. ZERO BALANCE AFTER ALL DISTRIBUTIONS	\$ 0

Dated: December 6, 2004

/s/ Linda S. Payne
Linda S. Payne, Trustee

Claims Distribution Register

Case: 02-52237 ROGERS, THOMAS RAY

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
Secured Claims:								
100	09/17/02	100	Thomas Ray Rogers <8100-00 Exemptions>	3,500.00	3,500.00	3,500.00	0.00	0.00
Priority 100: 100% Paid								
Admin Ch. 7 Claims:								
	09/17/02	200	LINDA S. PAYNE 100 NORTH MAIN ST. PARIS, TX 75460 <2200-00 Trustee Expenses>	113.07	113.07	0.00	113.07	113.07
	09/17/02	200	LINDA S. PAYNE 100 NORTH MAIN ST. PARIS, TX 75460 <2100-00 Trustee Compensation>	1,942.69	1,942.69	0.00	1,942.69	1,942.69
	09/17/02	200	Bill Payne <3210-00 Attorney for Trustee Fees (Other Firm)>	1,400.00	1,400.00	1,400.00	0.00	0.00
	09/17/02	200	Bill Payne <3220-00 Attorney for Trustee Expenses (Other Firm)>	1.24	1.24	1.24	0.00	0.00
Total for Priority 200: 100% Paid				\$3,457.00	\$3,457.00	\$1,401.24	\$2,055.76	\$2,055.76
Total for Admin Ch. 7 Claims:				\$3,457.00	\$3,457.00	\$1,401.24	\$2,055.76	\$2,055.76
Unsecured Claims:								
1	05/08/03	610	MBNA Acct#: 4313088939001730 Box 15026 Wilmington, ID 19850 <7100-00 General Unsecured § 726(a)(2)> Unsecured	5,109.17	5,109.17	0.00	5,109.17	1,057.91
2	05/08/03	610	Bank One, NA c/o atty Ernest Laun 3626 N. Hall, STE 519 Dallas, TX 75219 <7100-00 General Unsecured § 726(a)(2)> Unsecured	35,796.44	35,796.44	0.00	35,796.44	7,412.02
Total for Priority 610: 20.70604% Paid				\$40,905.61	\$40,905.61	\$0.00	\$40,905.61	\$8,469.93
Total for Unsecured Claims:				\$40,905.61	\$40,905.61	\$0.00	\$40,905.61	\$8,469.93
Total for Case :				\$47,862.61	\$47,862.61	\$4,901.24	\$42,961.37	\$10,525.69